

STAR

Server Training In Alcohol Regulations

Responsible Beverage Server
Training Based on Kentucky
Law and Regulation



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Purpose and Objectives

The purpose of Kentucky ABC's STAR program is to provide servers and sellers with the tools to responsibly serve and sell alcoholic beverages.

Course Objectives:

Section I: Laws and Liability

- ★ Understand your legal responsibilities & liabilities
- ★ Understand the various Kentucky statutes and regulations that specifically affect your industry

Section II: Identifications

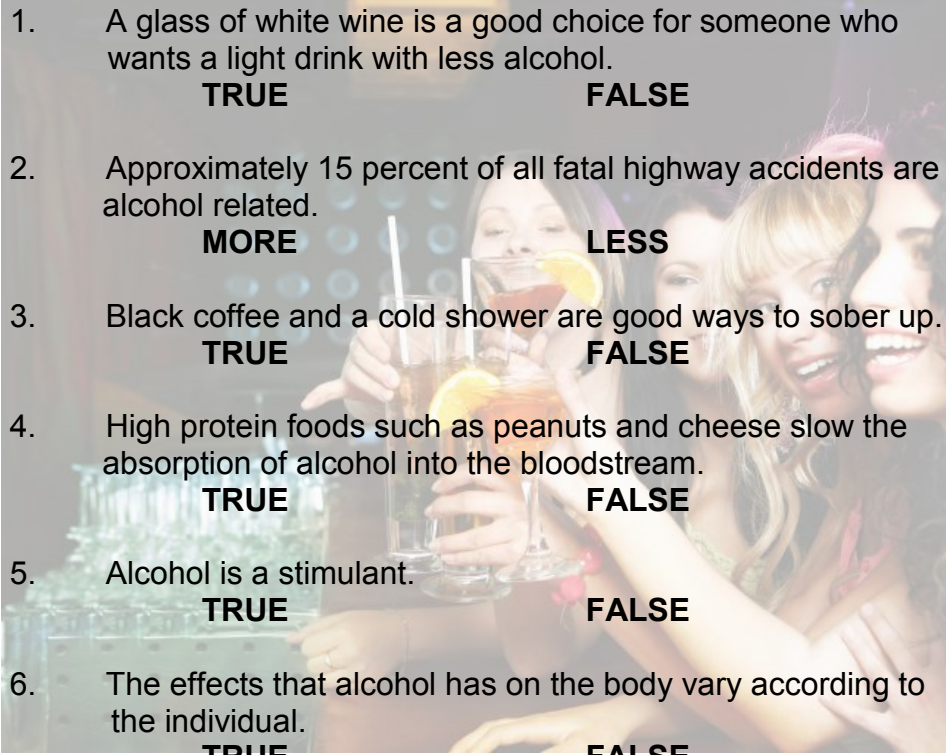
- ★ Recognize and question authenticity of identification documents

Section III: Preventing Over-service

- ★ Understand how alcohol affects the body
- ★ Understand how various factors influence alcohol absorption rate
- ★ Recognize the signs of intoxication and elevated blood alcohol levels

Bar Exam



- 
1. A glass of white wine is a good choice for someone who wants a light drink with less alcohol.
TRUE **FALSE**
 2. Approximately 15 percent of all fatal highway accidents are alcohol related.
MORE **LESS**
 3. Black coffee and a cold shower are good ways to sober up.
TRUE **FALSE**
 4. High protein foods such as peanuts and cheese slow the absorption of alcohol into the bloodstream.
TRUE **FALSE**
 5. Alcohol is a stimulant.
TRUE **FALSE**
 6. The effects that alcohol has on the body vary according to the individual.
TRUE **FALSE**
 7. You cannot be charged with a DUI if you are 21 or older and your BAC is less than .08.
TRUE **FALSE**
 8. If an intoxicated person is semiconscious, you *should* encourage vomiting.
TRUE **FALSE**
 9. It is legal to serve a pregnant woman alcohol.
TRUE **FALSE**
 10. Its okay to put your drunk, passed out friend to bed and go back to the party.
TRUE **FALSE**



11. You may allow a customer to bring their own wine into your restaurant and serve it to them as long as you charge a corking fee.

TRUE

FALSE

12. A BAC of 0.10 percent is considered Driving Under the Influence in most states.

HIGHER

LOWER

13. Alcohol is a drug.

TRUE

FALSE

14. Alcohol improves sexual performance.

TRUE

FALSE

15. A person can't become an alcoholic by drinking just beer.

TRUE

FALSE

16. The age group with the most alcoholics is the 18 - 30 set.

TRUE

FALSE

17. Blood alcohol levels of 0.50 percent can cause death by respiratory arrest.

TRUE

FALSE

18. An 80 proof bottle of alcohol means it is ____percent alcohol.

19. Package liquor and beer must be bagged after sale.

TRUE

FALSE

20. You must be ____ years old to bartend or serve alcohol by the drink.



Civil liability allows individuals to bring civil suits against licensees, their employees or any person who sells or serves alcohol illegally when personal injury or property damage has occurred anywhere in the state.

Compensatory damages can include damages to personal property, lost wages and medical costs. Punitive damages are sometimes awarded to punish the offender. Between the two types, awards can range from a few hundred to several million dollars.

Civil suits are heard through a local court.

Criminal Liability

Criminal liability addresses fines and/or jail time that owners, bartenders, servers or sellers of alcohol might face if prosecuted for illegal alcohol sales or service. Criminal liability is dealt with at a District Court level of justice. While a civil suit typically carries a monetary judgment, the result of a criminal action can often be jail time. The outcome of a criminal action is not dependent on the outcome of the civil suit for the same instance. Both cases would operate independently of each other.

Did You Know?

- Servers and sellers of alcohol can be charged criminally and/or arrested for illegal alcohol sales.
- Anyone can be sued for participating in serving, selling or for allowing someone to get hurt or to hurt others, due to illegal alcohol sales.



What is an Illegal Alcohol Sale? Some include:

- Sale/give to a minor
- Sale to an intoxicated individual
- Sale after hours
- Sale on Sunday (if locally prohibited)
- Purchasing from someone other than a licensed Kentucky distributor or wholesaler
- Selling with improper license

Administrative Liability

Administrative liability applies to the alcohol **licensee**. The ABC Board can assess administrative penalties ranging from fines to license suspension or revocation. This is normally the first type of liability the licensee will face, although the licensee may be cited in civil and criminal matters as well.



1.	The Alcoholic Beverage Control Board ("Board") may suspend or revoke a license for any violation of the alcoholic beverage statutes in KRS Chapters 241 through 244 or for any violation of the administrative regulations in Chapter 804.	KRS 243.480 KRS 243.490 KRS 243.500
2.	A Department of Alcoholic Beverage Control ("Department") Investigator has full police powers and may arrest or criminally cite any person who commits a crime. A Department Investigator also may administratively cite a licensee to the Board for a violation of ABC law.	KRS 241.090 KRS 243.520 KRS 431.005
3.	A Department Investigator may inspect licensed premises without first obtaining a search warrant. A Department Investigator may confiscate evidence of a violation for use in the prosecution of a criminal or administrative case.	KRS 241.090
4.	A person may be arrested or criminally cited for making, storing, selling, purchasing, transporting, or trafficking in any alcoholic beverage without having the proper license.	KRS 243.020 (1) KRS 243.990
5.	A licensee may be cited to the Board for selling a business ownership interest without prior Department approval, or for allowing the use of its license by another.	KRS 243.630
6.	A licensee or its employee cannot sell, give away, receive, or deliver any alcoholic beverage to any person who is under age 21, under the influence of alcohol, a habitual drunkard, or a known felon.	KRS 244.080
7.	It is a crime for a person under age 21 to possess, drink, purchase, or attempt to purchase an alcoholic beverage.	KRS 244.085
8.	It is a crime for a person under age 21 to use a fake identification ("ID") or give false information while attempting to purchase alcohol. A criminal conviction for this may result in the suspension or loss of driving privileges.	KRS 244.085
9.	It is a crime to help another person who is under age 21 to obtain an alcoholic beverage. A parent may be criminally cited for endangering the welfare of a minor.	KRS 244.085 KRS 530.060 KRS 530.070
10.	A person under age 21 cannot remain on a premises where alcoholic beverages are sold by the drink unless the licensee's business is a hotel, restaurant, convention center, or other expected business type.	KRS 244.085



11.	A licensee cannot permit its premises to be disorderly because of violence, fighting, loud noise, public nuisance, hazardous condition, criminal activity, or violation of a minimum health, fire, safety, or sanitary standard.	KRS 244.120
12.	No employee under age 20 may serve or sell an alcoholic beverage. However, an 18 year old employee at a grocery or convenience store licensed to sell only package beer may sell beer if the transaction is directly supervised by a person at least age 20.	KRS 244.090 KRS 244.087
13.	A person who during the past two years was convicted of two alcohol related misdemeanors or of a felony of any kind cannot be employed to serve, sell, or handle alcoholic beverages. Such persons may be employed for positions unrelated to alcoholic beverages.	KRS 244.090
14.	A retail licensee must have the following materials posted at all times: <ul style="list-style-type: none">• ABC license• Warning to minors sign• Pregnancy warning sign• License name and number printed on the front window in three-inch letters	KRS 243.620 KRS 243.895 KRS 244.083 KRS 244.360 804 KAR 7:050
15.	A licensee other than the holder of an NQ-1 drink license must get a separate supplemental bar license for each location where distilled spirits or wine is sold by the drink at the premises.	KRS 243.037 KRS 243.082
16.	A licensee may sell alcoholic beverages on Monday through Saturday from 6:00 a.m. until midnight. Most local governments are authorized to permit sales after midnight and on Sunday by ordinance.	KRS 244.290 KRS 244.480
17.	A licensee must place all distilled spirits and wine under lock and key if customers remain on the premises after legal selling hours.	KRS 244.290
18.	A licensee may sell alcoholic beverages on all election days unless prohibited by local ordinance.	KRS 244.290 KRS 244.480
19.	A retail licensee cannot buy alcoholic beverages except from a licensed Kentucky wholesaler or distributor.	KRS 243.170 KRS 243.180 KRS 244.060
20.	A licensee cannot refill a distilled spirits or wine bottle with same product, or fill a bottle with a cheaper product ("down pouring"). The original bottle or container must always be used.	KRS 244.310 KRS 244.340



- | | | |
|-----|---|--|
| 21. | A retail licensee cannot move inventory from one store to another unless the licensee owns both stores, the stores are in the same county, and the licensee keeps a detailed record of the inventory transfer for at least two years. | KRS 243.200 (3) |
| 22. | All records related to alcoholic beverages must be kept on the licensed premises for at least two years and be readily available for inspection by the Department of Alcoholic Beverage Control or Department of Revenue. A caterer or restaurant which has a minimum food sales percentage requirement also must maintain records of food sales. | KRS 244.150
804 KAR 4:100 |
| 23. | A licensee cannot give away an alcoholic beverage or sell it below cost. However, a small farm winery, brewer, and micro brewery can provide limited free samples of its produced wine or beer at their premises only. The holder of a sampling license may give a free sample of distilled spirits or wine, (but not beer) subject to strict requirements prescribed by statute. | KRS 244.050
KRS 243.150
KRS 243.155
KRS 243.157 |
| 24. | A retail licensee cannot offer or advertise a coupon or its equivalent (such as Groupon or Social Living) for a free or discounted alcoholic beverage. An alcohol purchase cannot be used to accumulate points on a loyalty or rewards card, nor may a loyalty or rewards card be used to obtain a free or discounted alcoholic beverage. | KRS 244.050
KRS 244.461
KRS 244.500 |
| 25. | Gambling cannot be permitted on licensed premises except:
1) An event of a charitable organization licensed by the Department of Charitable Gaming
2) A pari-mutuel betting operation authorized by the Kentucky Horse Racing Commission (such as at Keeneland and Churchill Downs)
3) Lottery tickets authorized by the Kentucky Lottery Corporation (such as Powerball or Keno). | KRS 243.500 (7)
KRS 243.505 |
| 26. | A licensee must reapply by new application and documentation if it fails to timely renew its license. | KRS 243.090 |

Please note: Licensees are responsible for administrative violations by their employees and agents. Employees are also personally responsible for violations constituting crimes.



1. Administrative liability applies only to _____.
A. Bartenders
B. Managers
C. Licensees
D. Injured parties
2. A patron is allowed to bring a bottle of wine into your restaurant as long as there is a corking fee.
TRUE **FALSE**
3. How old do you have to be to serve alcohol by the drink in Kentucky? _____
4. A BAC of _____ percent or above is considered a violation of Kentucky DUI laws if you are 21 or older.
5. You can be charged criminally and/or arrested for illegal alcohol sales.
TRUE **FALSE**
6. You cannot be employed as a bartender, server or seller of alcohol if you have had two alcohol related convictions or any felony conviction in the last:
A. 1 year
B. 2 years
C. 5 years
7. A licensee may sell alcoholic beverages on all election days unless prohibited by local ordinance.

TRUE

FALSE

Did You Know?

Server and seller compliance averages are improving. Keep up the great work!





ABC recommends accepting only the following forms of identification:

1. State Issued Drivers License
2. State Issued Identification Card
3. Permanent Residency Card
4. Military Identification Card
5. Passport

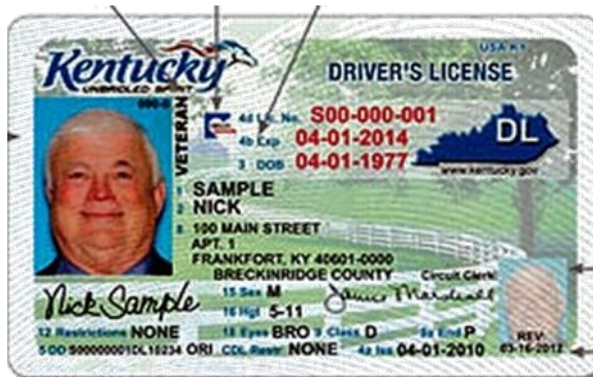
These are all government issued forms of identification and will have a date of birth and a photo of the bearer. ABC does not recommend accepting any other forms of ID. **Remember, that if the ID is expired, it is no longer valid.**



A Unique State

Kentucky is a unique state. It is surrounded by seven states and contains two military bases and nine public universities. This can make checking IDs difficult. In the next section we will examine various identifications that may be used and how to discern their validity.





Over 21 Identification



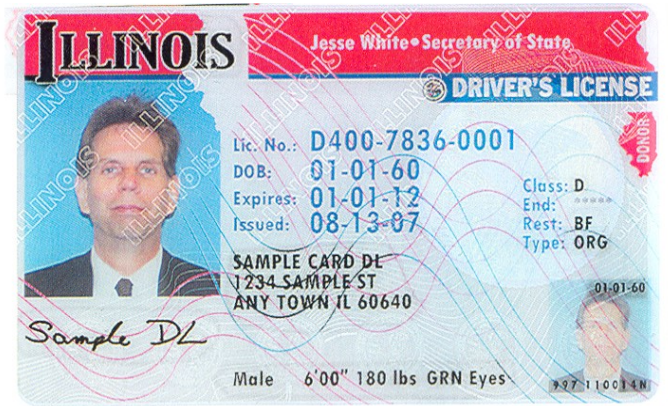
Back of card

Imbedded Ink

Minor Identification

What To Look For:

- Horizontal ID is for those over 21; vertical ID for those under 21
- Hologram of the Kentucky Transportation Cabinet logo across the bottom
- Imbedded ink under personal information. When viewed under a black light it reads "THE BLUEGRASS STATE"
- Ghost image in the lower right hand corner
- The picture of the state on the card may be in 4 different colors depending on what the card authorizes:
 - Blue-Drivers License
 - Red-Identification
 - Green-Commercial Drivers License (CDL)
 - Purple-Operator Permits
- No longer includes weight or social security number

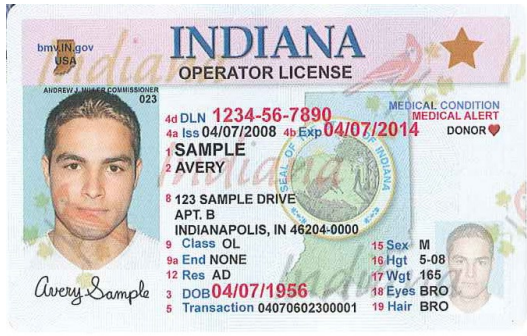


Over 21 Identification

What to Look For:

- Hologram running diagonally across the front that reads "ILLINOIS"
- Ghost image in the bottom right hand corner
- UV light also used in this license





Over 21 Identification



Minor Identification

What to Look For:

- Hologram of the word "Indiana" and a picture of the state bird repeats across the front
- Ghost image in the lower right hand corner of license
- Under UV light a second ghost image is visible in the in the data area and holder's name and birth date across bottom of larger photo
- Date of birth on back of license



Ohio Drivers License



Over 21 Identification

What to Look For:

- Hologram of the phrase "Department of Public Safety", state outline, state flag, capitol building, concentric ovals around ghost image, state seal, "tire tread" wave
- Ghost image on the license on right
- State outline at upper right of photo glows under UV light
- The minor ID is vertical





West Virginia Drivers License

Section II Identifications

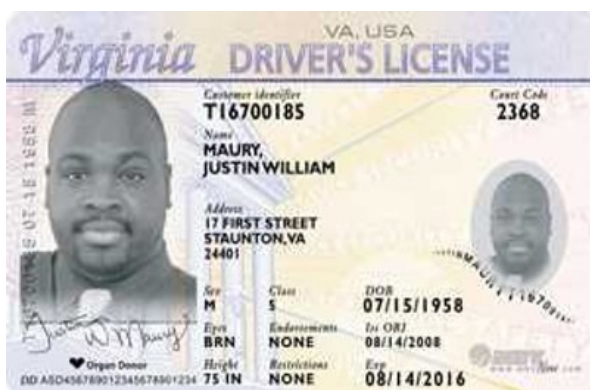


What to Look For:

- Minor ID is vertical
- State emblem and stars repeat across the front of the license
- "West Virginia" and state seal visible under UV light
- License contains microprinting



Virginia Drivers License



What to Look For:

- Ghost image in oval at right
- Wave printing below ghost image
- Bearer's information in raised printing on front and back
- State seal, DMV logos, and text are in UV light
- Minor ID is vertical





Over 21 Identification



What to Look For:

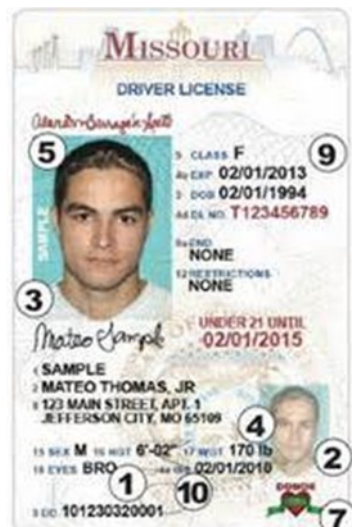
- Ghost image to the right of the picture
- Hologram of the word "Tennessee", state seal, state flower, musical notes and repeating state silhouette that changes to a star
- The over 21 and the minor ID are in the horizontal format



Missouri Drivers License



Over 21 Identification



Minor Identification

What to Look For:

- Laser perforations on ID over picture
- Ghost image in the lower right hand corner
- Fine lines through portrait and ghost image
- Overlapping data on ghost image
- State seal and the word "TEMPORARY" are printed with temperature-sensitive ink
- 2D bar code
- Minor ID is vertical





What to Look For:

State issued identification cards usually look very similar to state issued drivers licenses. The phrases

- Non Driver
- ID Only
- Identification Card

are usually printed to differentiate from the driver's license. The color of the header bar on the license may also be different.



Permanent Residency Card



What to Look For:

- Thumb print on the front of the card
- Hologram of the Statue of Liberty
- Homeland Security seal in the center of the card under the individual's personal information
- On the back there is an etched photo of the bearer and micro images of the U.S. state flags and the U.S. presidents
- The back may look like a mirror



AKA: Green Card

Declares an individuals right to live and work permanently in the United States.

Military Identification Cards

Section II Identifications



What to Look For:

There are two types of military IDs.

One is a plastic credit card style card:

- Picture appears in the upper left corner
- There is a bar code and a smart chip on the front
- The seal at the right of the picture may vary depending on the branch of service

The second is a paper style identification:

- The seal on the right depicts the branch of service
- Color may vary
- May have a holographs

All important information for all of the cards is on the back; SSN, DOB, ghost image, and a magnetic strip.



DATE OF BIRTH 1972MAY14	WEIGHT 185	HEIGHT 6	HAIR COLOR BR	EYE COLOR BR
DATE OF ISSUE 1995MAR10	BLOOD TYPE B+	GENEVA CONV CATEGORY I		
DD FORM 2 (RESERVE) OCT 93 PROPERTY OF US GOVERNMENT OUSD(P&R) JAN 96				

Passports



What to Look For:

- Issued for international travel
- Most secure form of identification available however, the least used
- Various seals and watermarks



What to Look For:

- Issued for land and sea travel between U.S., Canada, and Mexico,
- Various seals and watermarks on document





The Borrowed ID: Issued to one person, used by another



What To Look For:

- Is the person in front of you the same person in the photo?
- Attitude-nervous
- Afraid of eye contact
- Wearing concealing apparel
- Look for class ring or school logos



Genuine ID with False Information: Genuine identification obtained using someone else's information. This is harder to do now with the new driver's license .

What To Look For:

- Is the card a duplicate or replacement?
- Does the person look younger than the date of birth on the card?
- If suspicious, ask for second form of identification



Borrowed IDs are the most commonly used fraudulent IDs.

Altered Identification: Genuine identification altered in some manner. This type of fake ID is also very difficult to produce with the new license.

What To Look For:

- Is the photo raised?
- Are the numbers scratched out and altered?
- Is there red-eye?



The Scanned ID: IDs that are fraudulently copied with a sophisticated scanner and printer

These are very difficult to make due to today's security features.

What To Look For:

- Ask individual to remove from wallet
- Check quality of ID when in hand
- Check the back of the card





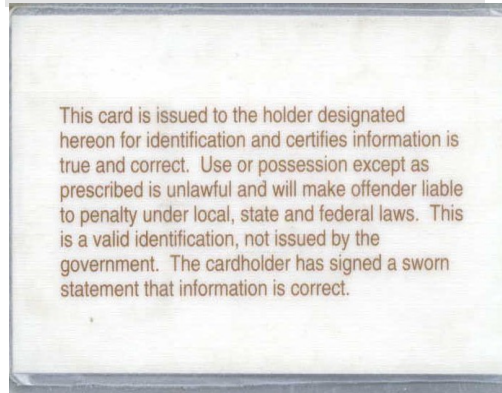
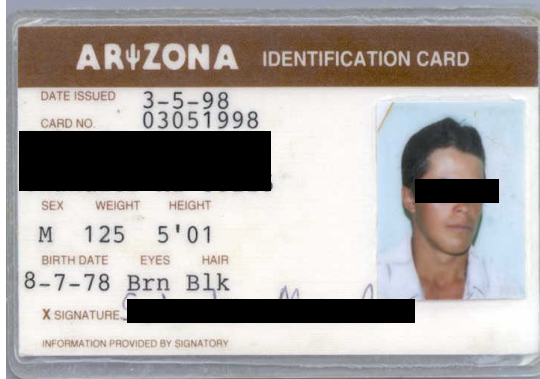
Internet ID: Identification created and bought from an internet company.



What To Look For:

Disclaimers such as:

- For entertainment only
- Not a government issued ID
- Phone numbers on the card
- Holograms such as wave patterns and seals saying "genuine" "authentic" or "secure"



International Drivers Licenses are usually fraudulent.

Foreign Identification:



What To Look For:

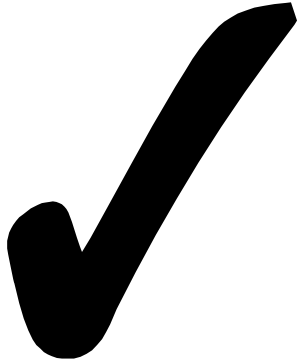
- ID issued by Government of Mexico through consulate
- Unreliable and unverifiable as valid ID
- Highly vulnerable to fraud



What To Look For:

- If ID is in language you can not read, do not accept it
- Ask for another form of valid ID





- Card anyone who appears under 27 years of age.
- Ask *them* to remove their ID from the wallet. **Do not touch the wallet.** Often, the real ID card is behind the fake ID. There is also the possibility that the ID is scanned onto photo paper.
- Look at the photo. Does it look like the person standing in front of you? There will be no “red-eye” in the government issued cards.
- Check the expiration date. If it is expired, it is no longer valid.
- Check the date of issue. Some internet companies will date them for a month or two ahead and then mail them out. The date listed on the card may not have occurred yet.
- Check the date of birth.
- Check for DUPLICATE or REPLACEMENT. Ask for a second ID to verify the information.
- If it is an out-of-state ID, compare it to an *ID Checking Guide* for accuracy.
- Use a black light to check for UV writing.
- Check the laminate. Does it appear intact? Bend the card. The laminate should not pull away from the paper. Any breaks in the paper would indicate tampering.
- Check the back side. There should be organ donor information. Look for disclaimers.
- Feel the card. Are there any raised areas on the photo area? Is it firm? Is it flimsy, or thin?

Questions To Ask

What is your address?
What is your middle name?
What is your date of birth?
What is your astrological sign?
What year did you graduate high school?



**IF YOU HAVE ANY DOUBTS ABOUT THE ID, REFUSE
THE SALE.**



What do I do if presented with a fake ID?

If you are presented with a fake ID, do not make the sale. The bearer is committing a crime and you should contact local law enforcement. You do not have the authority to confiscate the ID. If the suspected minor becomes belligerent and demands the ID, make copies of the identifying information and return the ID. The copied information should be provided to the police when they arrive with an explanation of what occurred.

What do I do with a fake ID if the owner leaves it with me?

If you have identified a fake ID and refused a sale causing the bearer to leave it with you, turn it in to local law enforcement. The ID could be stolen or lost and therefore should be sent to the proper authorities.

Will I be in trouble if I sell to someone who uses a fake ID unintentionally?

It is possible to be cited even if you do not realize the ID is fake. However, depending on the authenticity of the identification, a citation may not be issued. You are ultimately responsible for sales to underage persons.





1. Which of the following is a recommended form of identification?
 - a. **Passport**
 - b. **State issued Drivers License**
 - c. **Military ID**
 - d. **All of the above**
2. Internet identifications will have which of the following printed on the card:
 - a. **For entertainment only**
 - b. **Not a government issued ID**
 - c. **Genuine, authentic, or secure**
 - d. **All of the above**
3. If someone gives you a driver's license and it is a duplicate, you should ask for another form of identification.
TRUE **FALSE**
4. A customer shows you their ID which is in their wallet. You should:
 - a. **Verify the age and make the sale**
 - b. **Ask them to remove the ID from their wallet, so you can see front and back**
 - c. **Ask to see the wallet so you can get a close look at the ID**
 - d. **Ask for a second ID**
5. When checking IDs it is important to make sure that you look at the both sides.
TRUE **FALSE**
6. What is the most commonly used fake ID?
 - a. **an altered ID**
 - b. **a forged ID**
 - c. **a borrowed ID**
 - d. **a fake passport**





A person's BAC (blood alcohol content) increases with each alcoholic beverage consumed in a fixed amount of time. In the next few pages we will discuss some factors that influence how quickly an individual's BAC rises. It is important to remember that regardless of a person's disposition, **time is the only thing that will sober a person.**

Blood alcohol content is measured in 1/1000 (one drop of alcohol per 1000 drops of blood), by either breath testing, urine testing or blood testing. Of the three types of testing, blood testing is the most accurate.

What this means for the server

- At .08% a person is considered legally intoxicated
 - You are responsible to know what factors influence a person's BAC to avoid over-service
- Kentucky law states that a BAC of 0.08 percent or higher makes an individual legally intoxicated. Be aware that you *can* be arrested for Driving Under the Influence with a lower BAC depending on extenuating circumstances. For individuals ages 16-20, the limit is 0.02 percent and **ZERO TOLERANCE**.



12 OZ. BEER
12 OZ. WINE COOLER
5 OZ. GLASS WINE
1 1/2 OZ. 80 PROOF LIQUOR
1 OZ. 100 PROOF LIQUOR



All have
approximately the same ef-
fect on the body and BAC.

Alcohol Impairment Chart

Consumed in an hour	Male	Female
	200 LB	120 LB
1st Drink	0.02	0.04
2nd Drink	0.04	0.08
3rd Drink	0.06	0.11
4th Drink	0.08	0.15
5th Drink	0.09	0.19
6th Drink	0.11	0.23
7th Drink	0.13	0.27
8th Drink	0.15	0.30
9th Drink	0.17	0.34



After drinking any alcoholic beverage, approximately 20 percent is absorbed directly through the stomach wall into the bloodstream. The remaining 80 percent enters the bloodstream very rapidly once it reaches the small intestine. Alcohol requires NO digestion.

The pyloric valve senses solid food in the stomach and constricts, slowing alcohol's progress into the small intestine. Foods high in fat and carbohydrates take longer to digest. Encouraging guests to consume these high fat, high carbohydrate foods is a good technique to reduce intoxication potential. Liquids only dilute the alcohol; they do not slow the progress of the alcohol into the small intestine.

* From Century Council and Board of Trustees of the University of Illinois
For more information: www.centurycouncil.org

Absorption Rate Factors

The rate a person absorbs alcohol into the bloodstream depends on several factors. There is no exact formula for determining a person's BAC other than blood tests. You may, however, make a responsible decision on how much alcohol to serve to an individual based on these variables:

GENDER: Women tend to be smaller with higher body fat ratios, fluctuating hormones, and less of the enzyme alcohol dehydrogenase.

SIZE: A small person will reach a higher BAC faster than a large person.

FOOD CONSUMED: Food in the stomach slows the progress of alcohol into the bloodstream.

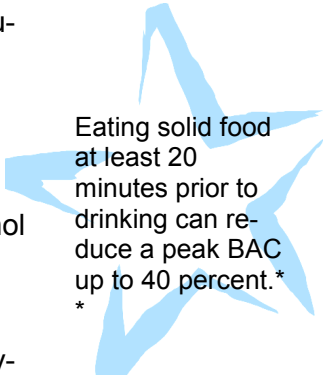
CONSUMPTION RATE: Fast consumption increases the amount of alcohol circulating in the bloodstream waiting to be processed by the liver.

DRINK CONCENTRATION: Mixers dilute and slow the absorption rate. Carbonation speeds up the absorption by paralyzing the pyloric valve, allowing alcohol to reach the small intestine faster.

TOLERANCE: Drinking experience gives a person the ability to mask signs of a high BAC. Behavior is controlled. Conversely, an inexperienced drinker may not be able to control behavior at all.

MOOD/ HEALTH: Illness, stress, exhaustion can all accelerate the effects of alcohol.

DRUGS: Alcohol can counteract or enhance the effects of other drugs. Combined, the results are unpredictable and dangerous.



Eating solid food at least 20 minutes prior to drinking can reduce a peak BAC up to 40 percent.*

What this means for the server

Alcohol is a drug and intake should be in measured amounts.

Food slows down absorption but DOES NOT prevent intoxication.



What this means for the server

Alcohol affects the brain front to back. Familiarize yourself with this to help gauge a person's intoxication level.



When alcohol reaches the brain, the frontal lobe, which controls reason and judgment, is affected first. Following, the alcohol numbs the frontal lobe creating a sense of **euphoria**. Shortly after, caution, common sense, reasoning and inhibitions are diminished. The drinker may become talkative, loud, and less inhibited.

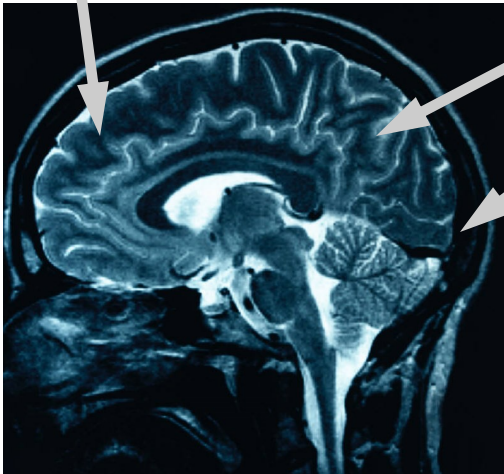
As the alcohol affects the mid section of the brain, muscular control, coordination and small motor skills are diminished. You might notice the drinker having difficulty with simple tasks such as making change or picking up small objects, yet they believe they are in control.

The hind section of the brain controls bodily functions like respiration and heart rate. Once this area has been affected by alcohol, the individual will experience a sense of **dysphoria** and can become restless, aggressive, anxious or violent. This is caused by an actual overdose of alcohol.

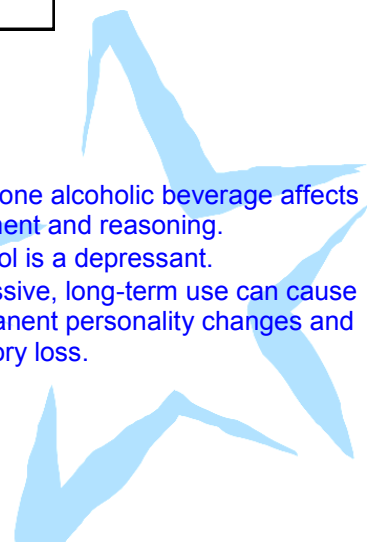
Frontal lobe-controls inhibitions, judgment, reasoning, that "feel good" sense of euphoria.

Mid-brain- controls coordination and motor skills.

Hind brain- controls respiration and heart rate, that "aggressive, feel bad" sense of dysphoria.



- Even one alcoholic beverage affects judgment and reasoning.
- Alcohol is a depressant.
- Excessive, long-term use can cause permanent personality changes and memory loss.





A healthy liver can eliminate about 1 ounce of alcohol per hour. Approximately 90 percent of the alcohol consumed will be eliminated through the liver. The other 10 percent is eliminated through breathing, sweating and other bodily functions. The liver metabolizes alcohol into sugars. This process requires an enzyme known as alcohol dehydrogenase.

What this means for the server

A healthy liver can process about 1 oz of alcohol per hour or one standard drink. If a person is drinking faster, their BAC is rising.



Unprocessed alcohol continues to circulate in the bloodstream until the liver can process it. Cirrhosis of the liver may occur when liver cells die due to long term alcohol consumption. If treated in early stages, the liver has the ability to regenerate itself.

Pregnancy and Alcohol

In Kentucky, it is **legal** to sell alcohol to a pregnant woman. There can be serious side effects to abusing alcohol while pregnant, including:

- Fetal Alcohol Syndrome
- Low birth weight babies
- Babies with multiple long term behavioral disorders.

BAC decreases at a rate of 0.015 percent per hour. If four ounces are consumed in one hour, it will take four hours for the body to eliminate that alcohol.

Each premises is required by state law to post a Pregnancy Warning sign warning pregnant women about these dangers.





Serving drinks in large containers may encourage customers to drink more, counting drinks rather than actual alcohol content.

For instance, a large beer may be 22 ounces rather than standard 12 ounces. Use caution when selling multi-liquor drinks such as Long Island iced teas. These may contain four to five ounces of alcohol. Limiting these drinks to one per individual per visit is a good policy to reduce over-consumption.

What this means for the server

- Know what you are selling!
- One glass does not equal one drink.
- Drinks are determined by ounces of alcohol contained.



While most “standard” size drinks contain about one ounce of alcohol, keep in mind that not all beers and wines are created equally. Beers may vary from two and one half percent to eight percent alcohol. Some imported beers and ales contain as much as 14 percent alcohol. Red wines generally contain 13-14 percent while white wines contain 11-12 percent alcohol.

Recognizing Intoxication

No one expects you to know the BAC of someone simply by looking at them. However, KRS 244.080(2) prohibits selling or serving alcoholic beverages to “a person actually or apparently under the influence of alcoholic beverages.”

Continuing to serve an individual who appears to be under the influence creates a liability, both criminally and civilly as defined in KRS 222.005(6), Intoxication means being under the influence of alcohol and/or other drugs which significantly impairs ability to function. Teamwork and communication is critical to keep the entire staff informed of patrons who require intervention.

What this means for the server
Common signs of intoxication

- Slurred speech
- Bloodshot eyes
- Slow reaction time
- Lowered inhibitions
- Loss of coordination
- Argumentative
- Nausea



**If You Suspect Alcohol Poisoning:**

1. **Wake the person up.** Call by name. Have him/her stand up if possible.
2. If unable to stand, **turn the person and keep on side** to prevent choking on vomit.
3. **Check the person's skin.** Is it pale or bluish or is cold or clammy?
4. **Check breathing.** Is it irregular or too slow/shallow (less than 8 breaths per minute or more than 10 seconds between breaths)? Stay with the person and call for help.
Call **911** immediately!

*Chandler Medical Center

Recognizing the signs of alcohol poisoning and knowing what to do is very important. Allowing someone to “sleep it off” can be fatal.

There is no way to know how much alcohol the individual has consumed in a given period of time. It is imperative to get the individual medical assistance immediately if signs of alcohol poisoning are observed.

DO NOT LEAVE THIS PERSON TO “SLEEP IT OFF” CALL 911 IMMEDIATELY

**Responsible Sales**

enanced and younger the person selling, the harder it is to refuse a sale, cut someone off, or handle a difficult guest. It is important that the entire staff know that owners and managers support the **server's/seller's right to refuse any sale**.

By using positive sales techniques, the server can control how fast your guests consume alcohol.

- Measure each pour
- Count drinks
- Bring/offer water with each drink
- Offer food regularly if guests are not eating
- Be aware of the types of drinks your guests are ordering
- Establish multiple drink limits
- Slow your service intentionally
- Communicate any concerns with your team
- Cut off alcohol service if necessary
- Train all employees in responsible alcohol sales and service



Package stores present a different set of possible challenges regarding responsible alcohol sales. Some of the positive sales techniques we encourage include:

- Observe the customer for visual signs of intoxication; remember, you are not to sell to those already intoxicated.
- Discourage loitering on your premises.
- Make it policy to not allow drinking on the premises.
- Remember that if you have a question about the authenticity of an identification, or any discomfort about the sale, you have the right to refuse.
- Keep communication with your coworkers.
- Keep an eye out for groups of people together.
 - Are there minors waiting in the parking lot for their friend to buy for them?
 - ID everyone in a group to ensure all are of age to purchase.
- Ensure all employees know the products well including those with different packaging such as alcoholic energy drinks.



Know your establishment's policy for dealing with guests who arrive intoxicated or who require service being cut off. It is important that other team members know if a guest has been cut off, especially if it is near shift change. Don't set someone up for failure.

ABC recommends every establishment use an **INCIDENT REPORT LOG** if you have to cut someone off. It can be a simple, empty ledger kept where the bartenders and server/seller staff have easy access to it. It is your best positive defense where liability issues are concerned.

Things to include in an incident report:

- Date & time of incident
- Employee involved & manager on duty
- What happened
- Copy of sales receipts if possible
- Any witnesses' names and phone numbers
- Actions taken

A sample incident report is on the following page





INCIDENT REPORT

Date of incident: _____ **Time of incident:** _____

Manager on duty: _____

Location of incident (within the establishment):

Name or description of persons involved:

Give description of incident:

Road conditions: _____

Were police notified? If so, give time of call _____

Who made the call? _____

Names of officers responding to call _____

Time of police response _____

List any intervention actions taken:

Witnesses: _____

Any other information you wish to add?

Attach copy of credit card voucher and or sales receipt.

Name (Print) _____

Home Address: _____

City, Zip: _____ **Phone:** _____

Signature: _____

Manager Signature: _____



1. Alcohol must be digested in order to enter the bloodstream.

TRUE

FALSE

2. Alcohol is a _____.

A. Narcotic
B. Antihistamine
C. Depressant

3. A healthy liver can process about _____ of alcohol per hour.

A. 1/2 ounce
B. 1 ounce
C. 1 1/2 ounce
D. 2 ounces

4. What percentage of pure alcohol is in a shot of 100 proof liquor?

A. 45%
B. 40%
C. 50%
D. 100%

5. BAC stands for _____.

A. Blood alcohol consumption
B. Blood alcohol content
C. Begin alcohol consumption

6. Eating high protein foods and carbohydrates will slow the absorption of alcohol into the blood stream.

TRUE

FALSE

7. You have the right to refuse any sale.

TRUE

FALSE

8. You may serve an intoxicated patron if he or she has a designated driver.

TRUE

FALSE

9. Only _____ will allow a person to sober up.

10. Selling or giving alcohol to an intoxicated person is illegal.

TRUE

FALSE



- | | |
|---|------------------|
| • No person shall sell or cause to be sold any tobacco products at retail to any persons under the age of 18 years. | KRS. 438.310 (1) |
| • Any person who sells tobacco products at retail establishments shall post a sign saying it is illegal to sell tobacco products to minors. | KRS. 438.310 (2) |
| • Sale or purchase of tobacco products dispensed from vending machines prohibited to anyone under 18. | KRS 438.315 (1) |
| • Vending machines must be in sight of the cashier. | KRS 438.315 (3) |
| • Each employee of the retail establishment must sign a statement saying that they understand these laws. | KRS 438.325 |
| • It is illegal to sell cigarettes in packages of less than twenty. | KRS 438.317 (1) |
| • Tobacco Advertisements must be 500 square feet from the property line of a school. | KRS 438.047 |
| • There is no age requirement for selling tobacco products, but you must abide by child labor laws. | |
| • Any person who sells tobacco products shall require proof of age. | |

Kentucky Penalties

Fines for CLERKS:

First offense- \$100-\$500

Second offense- \$500-\$1000

- Every employee must sign a statement saying they understand these laws.

Fines for OWNERS without proper documentation:

First offense- \$100-\$500

- It is illegal for anyone under 18 years of age to purchase or possess any tobacco products.

Fines for MINORS in possession:

First offense within one year- \$50 and 20 hours of community service

Second or subsequent offense within one year- \$200 and 40 hours of community service.

- Vending machines must be in line sight of cashier.

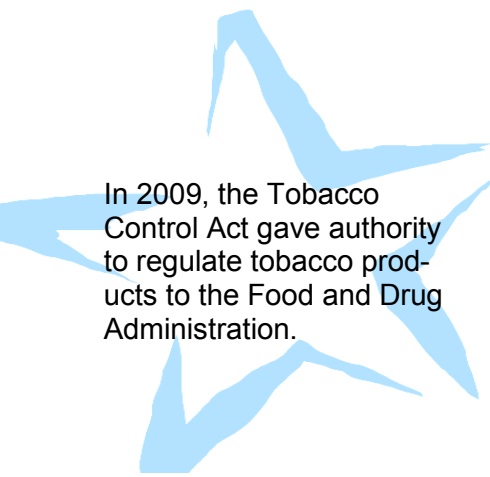
Fines for OWNERS not in compliance: Fine - \$100-\$500

If a minor purchases tobacco from a vending machine, the owner of the establishment is cited.

In Kentucky, it is the clerk who is cited for selling tobacco to a minor not the store!

**New Requirements Relating to Sale and Distribution**

- Requires clerks to check identifications of anyone who appears to be under the age of 27.
- Prohibits the sale of cigarettes or smokeless tobacco to people younger than 18.
- Prohibits the sale of cigarette packages with fewer than 20 cigarettes.
- Prohibits the sale of cigarettes and smokeless tobacco in vending machines, self-service displays, or other impersonal modes of sales, except in adult only establishments.
- Prohibits free samples of cigarettes and limits distribution of smokeless tobacco product to temporary booths at alcohol-free, adult-only events.
- Prohibits cigarettes that contain flavors other than menthol and tobacco.
- Limits tobacco product sales to direct, face-to-face exchanges (mail order is an exception).



In 2009, the Tobacco Control Act gave authority to regulate tobacco products to the Food and Drug Administration.

New Requirements Relating to Marketing (Labeling, Advertising, and Promotion)

- Prohibits tobacco brand name sponsorship of any athletic, musical, or other social or cultural event, or any team or entry in those events.
- Prohibits gifts or other items in exchange for buying cigarettes or smokeless tobacco products.
- Requires that audio ads use only words with no music or sound effects.
- Prohibits the sale or distribution of items, such as hats and tee shirts, with tobacco brands or logos.

Federal Penalties

ABC investigators are cross-designated as FDA compliance officers who report violations to the FDA for disciplinary action. Store owners are responsible for Federal penalties that shall not exceed the following:

- In the case of the first violation, \$0.00 together with the issuance of a warning letter to the retailer;
- In the case of a second violation within a 12-month period, \$250;
- In the case of a third violation within a 24-month period, \$500;
- In the case of a fourth violation within a 24-month period, \$2,000;
- In the case of a fifth violation within a 36-month period, \$5,000; and
- In the case of a sixth or subsequent violation within a 48-month period, \$10,000 as determined by the Secretary on a case-by-case basis.



Quick reference code to ABC facebook page



Quick reference code to ABC website

CENTURY COUNCIL

Free Merchandise for Retailers
www.centurycouncil.org

202-637-0077

DRIVERS LICENSE GUIDE COMPANY

ID Checking Guide
1492 Oddstad Dr.
Redwood City, CA 94063
www.idcheckingguide.com/us.asp

800-227-8827

FDA TOBACCO LAW

Federal Tobacco Regulations
<http://www.fda.gov/breakthechain>

877-CTP-1373

KENTUCKY DEPARTMENT OF AGRICULTURE

State Required Tobacco Signs
www.kyagr.com

502-573-0282

KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

State Required Alcohol Signs and STAR Training
1003 Twilight Trail
Frankfort, KY 40601
<http://abc.ky.gov>
Additional brochures available on the website.

502-564-4850

KENTUCKY DEPARTMENT OF CHARITABLE GAMING

132 Brighton Park Boulevard
Frankfort, KY 40601
[Http://dcg.ky.gov](http://dcg.ky.gov)

502-573-5528

TEEN TOBACCO HOTLINE

To Report Underage Sales

866-289-0001

TRUST PROGRAM

Tobacco Retailer Underage Sales Training
<http://abc.ky.gov>

502-564-9358

WE CARD

Free ID Checking Guide, promotional products, etc.
www.wecard.org

800-934-3968



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http://www.nhtsa.gov/people/injury/research/alcoholhighway/2_overview.htm

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<http://www.totaldui.com/breathalyzers/bac/blood-alcohol-content.aspx>

<http://www.wikihow.com/Take-Care-of-a-Drunk-Person>

<http://www.restaurants.com/blog/can-a-restaurant-refuse-to-serve-alcohol-to-a-pregnant-woman/>

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DISCLAIMER

The Commonwealth of Kentucky, the Kentucky Alcoholic Beverage Control and/or its employees do hereby disclaim any and all responsibility or liability arising from, or implied by the training herein provided by this agency.

The Server Training In Alcohol Regulations program (STAR) is intended only as an educational and informational resource available to the professional servers and sellers of alcoholic beverages employed in Kentucky.

The Kentucky Revised Statutes and the Kentucky Administrative Regulations herein presented do not constitute an official or complete version of these statutes and regulations. These statutes and regulations are for informational and training purposes only.

